

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

United States of America,)	Crim. No.: 4:17-cr-00778-RBH-1
)	
v.)	ORDER
)	
Carl Melvin Mitchell,)	
)	
Defendant.)	
_____)	

Pending before the court is the Appeal of Magistrate Judge's Detention Order [ECF No. 271] by Defendant, Carl Melvin Mitchell. Defendant appeals the order of United States Magistrate Judge Kaymani D. West denying bond, entered in this action on October 18, 2017. [ECF No. 230].

A district court reviews a Magistrate Judge's ruling on pretrial detention *de novo*. *United States v. Williams*, 753 F.2d 329, 331 (4th Cir. 1985); *United States v. Stewart*, 19 Fed. Appx. 46 (4th Cir. 2001) (citing *United States v. Rueben*, 974 F.2d 580, 585-86 (5th Cir. 1992)).

In accordance with the appropriate standard of review, the court reviewed the transcript of the testimony of the detention hearing proceedings, the Order of the Magistrate Judge, and the parties' submissions, including the various letters and statements submitted on behalf of the Defendant. The court agrees with the findings and conclusions of the Magistrate Judge as set forth in her written Order of Detention and as argued by the government at the detention hearing. After having conducted a *de novo* review of the record, the court finds that application of the factors set forth in 18 U.S.C. § 3142(g) supports the Magistrate Judge's conclusion that pretrial detention of the Defendant is appropriate in this case.

The Defendant has not sufficiently rebutted the presumption set forth in 18 U.S.C. § 3142(e)(3). As noted by the Magistrate Judge, the weight of evidence against the Defendant is strong. Agent Flamini testified that 15 historical witnesses attributed approximately 4.8 kilograms of crack cocaine to Defendant. Defendant also attempted to flee from a safety checkpoint and led law enforcement on a high-speed chase in July of 2017. Drugs were later recovered from a hidden compartment in Defendant's vehicle. Defendant is subject to a lengthy period of incarceration if convicted, has a prior criminal history, and has engaged in at least one prior attempt to evade law enforcement.

The court hereby adopts and incorporates the findings of the Magistrate Judge and affirms the Order of Detention [ECF No. 230]. Defendant's appeal is **DENIED**. In addition, no change of circumstances has been alleged to warrant revocation of the Order of Detention.

IT IS SO ORDERED.

December 6, 2017
Florence, South Carolina

s/ R. Bryan Harwell
R. Bryan Harwell
United States District Judge